

§ 165.819

departure from Murray Lock and Dam or from the mooring cells at mile 121.5 to ensure there are no upbound vessels within the RNA. If there is upbound traffic within the RNA, the downbound vessel shall not depart until the upbound vessel has passed through the RNA. After departing, vessels will proceed through the RNA, including all drawbridges located therein, without delay.

(5) When upbound vessels reach mile 116, they shall make a broadcast in the blind on VHF-FM channel 13 announcing their estimated arrival time at the Rock Island Railroad Bridge at mile 118.2.

(6) When a downbound vessel is already in the RNA, an upbound vessel shall adjust its speed so as to avoid a meeting situation in the RNA.

(d) Refer to 33 CFR 117.123 for drawbridge operation regulations.

[CGD2-90-04, 57 FR 22176, May 27, 1992. Redesignated by CGD 96-026, 61 FR 33669, June 28, 1996]

**§ 165.819 Monongahela River, Mile 81.0 to 83.0—regulated navigation area.**

(a) *Location.* The following is a regulated navigation area—The waters of the Monongahela River between mile 81.0 and mile 83.0.

(b) *Regulations.* Transit of the RNA by vessels required to have a radiotelephone under 33 CFR 26.03 may be made only under the following conditions:

(1) Traffic is restricted to one-way passage, with no meeting, passing, or overtaking authorized.

(2) Upbound vessels must give way to downbound vessels and, when approaching mile 81.0, in the area of Cats Run Light and the daymark located on the right descending bank, are to contact any downbound vessels in the area to coordinate transit of the area in accordance with this section.

(3) Downbound vessels, when approaching mile 83.0, in the vicinity of Warwick Mine on the left descending bank, are to contact any upbound vessels in the area to coordinate transit of the area in accordance with this section.

(c) Any deviations from this section must be authorized by the Captain of

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the Port, Pittsburgh, PA, prior to entering the RNA.

[CGD2-91-06, 56 FR 55820, Oct. 30, 1991, as amended by CGD02-93-001, 58 FR 59952, Nov. 12, 1993. Redesignated by CGD 96-026, 61 FR 33669, June 28, 1996]

**§ 165.821 Ohio River at Cincinnati, OH; regulated navigation area.**

(a) *Location.* The following is a regulated navigation area (RNA)—The waters of the Ohio River between mile 466.0 and mile 473.0.

(b) *Activation.* The restrictions in paragraphs (c) (1) through (4) are in effect from one-half hour before sunset to one-half hour after sunrise when the Cincinnati, Ohio, Ohio River Gauge is at or above the 45 foot level. The Captain of the Port, Louisville, Kentucky will publish a notice in the Local Notice to Mariners and will make announcements by Coast Guard Marine Information Broadcasts whenever the river level measured at the gauge activates or terminates the navigation restrictions in this section.

(c) *Regulations.*

(1) Transit through the RNA by all downbound vessels towing cargoes regulated by Title 46 Code of Federal Regulations Subchapters D and O with a tow length exceeding 600 feet excluding the tow boat is prohibited.

(2) No vessel shall loiter, anchor, stop, remain or drift without power at any time within the navigation channel of the RNA.

(3) All commercial vessels shall continually monitor VHF-FM channel 13 on their radiotelephone while in or approaching the RNA.

(4) Between Ohio River miles 464.0 and 466.0, downbound vessels shall make a broadcast in the blind, on VHF-FM channel 13 announcing their estimated time of entering the RNA.

[CGD02-95-003, 61 FR 2417, Jan. 26, 1996. Redesignated by CGD 97-023, 62 FR 33365, June 19, 1997, as amended by USCG-1998-3799, 63 FR 35533, June 30, 1998]

NINTH COAST GUARD DISTRICT

**§ 165.901 Great Lakes—regulated navigation areas.**

(a) *Lake Huron.* The following are regulated navigation areas:

(1) The waters of Lake Huron known as South Channel between Bois Blanc Island and Cheboygan, Michigan; bounded by a line north from Cheboygan Crib Light (LL-1340) at 45°39' 48" N, 84°27' 36" W; to Bois Blanc Island at 45°43' 42" N, 84°27' 36" W; and a line north from the mainland at 45°43' 00" N, 84°35' 30" W; to the western tangent of Bois Blanc Island at 45°48' 42" N, 84°35' 30" W.

(2) The waters of Lake Huron between Mackinac Island and St. Ignace, Michigan, bounded by a line east from position 45°52' 12" N, 84°43' 00" W; to Mackinac Island at 45°52' 12" N, 84°39' 00" W; and a line east from the mainland at 45°53' 12" N, 84°43' 30" W; to the northern tangent of Mackinac Island at 45°53' 12" N, 84°38' 48" W.

(b) *Lake Michigan.* The following is a regulated navigation area—The waters of Lake Michigan known as Gray's Reef Passage bounded by a line from Gray's Reef Light (LL-2006) at 45°46' 00" N, 85°09' 12" W; to White Shoals Light (LL-2003) at 45°50' 30" N, 85°08' 06" W; to a point at 45°49' 12" N, 85°04' 48" W; then to a point at 45°45' 42" N, 85°08' 42" W; then to the point of beginning.

(c) *Regulations.* The COTP, Sault Ste. Marie, will close and open these regulated navigation areas as ice conditions dictate. Under normal seasonal conditions, only one closing each winter and one opening each spring are anticipated. Prior to the closing or opening of the regulated navigation areas, the COTP will give interested parties, including both shipping interests and island residents, not less than 72 hours notice of the action. No vessel may navigate in a regulated navigation area which has been closed by the COTP. Under emergency conditions, the COTP may authorize specific vessels to navigate in a closed regulated navigation area.

[CGD 79-034, 47 FR 29660, July 8, 1982, as amended by CGD 79-026, 48 FR 35408, Aug. 4, 1983]

**§ 165.902 Niagara River at Niagara Falls, New York—safety zone.**

(a) The following is a safety zone—The United States waters of the Niagara River from the crest of the American and Horseshoe Falls, Niagara Falls, New York to a line drawn across

the Niagara River from the downstream side of the mouth of Gill Creek to the upstream end of the breakwater at the mouth of the Welland River.

**§ 165.903 Safety Zones: Cuyahoga River and Old River, Cleveland, OH.**

(a) *Location.* The waters of the Cuyahoga River and the Old River extending ten feet into the river at the following eleven locations, including the adjacent shorelines, are safety zones, coordinates for which are based on NAD 83.

(1) From the point where the shoreline intersects longitude 81°42' 24.5" W, which is the southern side of the Conrail No. 1 railroad bridge, southeasterly along the shore for six hundred (600) feet to the point where the shoreline intersects longitude 81°42' 24.5" W, which is the end of the lot adjacent to Fagan's Restaurant.

(2) One hundred (100) feet downriver to one hundred (100) feet upriver from 41 degrees 29'53.5" N, 81 degrees 42'33.5" W, which is the knuckle on the north side of the Old River entrance at Ontario Stone.

(3) Fifty (50) feet downriver to fifty (50) feet upriver from 41 degrees 29'48.4" N, 81 degrees 42'44" W, which is the knuckle adjacent to the Ontario Stone warehouse on the south side of the Old River.

(4) From 41 degrees 29'51.1" N, 81 degrees 42'32.0" W, which is the corner of Nicky's pier at Sycamore Slip on the Old River, to fifty (50) feet east of 41 degrees 29'55.1" N, 81 degrees 42'27.6" W, which is the north point of the pier at Shooter's Restaurant on the Cuyahoga River.

(5) Twenty-five (25) feet downriver to twenty-five (25) feet upriver of 41 degrees 29'48.9" N, 81 degrees 42'10.7" W, which is the knuckle toward the downriver corner of the Nautica Stage.

(6) Ten (10) feet downriver to ten (10) feet upriver of 41 degrees 29'45.5" N, 81 degrees 42'9.7" W, which is the knuckle toward the upriver corner of the Nautica Stage.

(7) The fender on the west bank of the river at 41 degrees 29'45.2" N, 81 degrees 42.10" W, which is the knuckle at Bascule Bridge (railroad).

(8) The two hundred seventy (270) foot section on the east bank of the